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2016-2017 JUVENILE GRANT PLANNING AND REVIEW COUNCIL (Maryland's State Advisory Group)

ANNUAL REPORT

Introduction

Executive Order 01.01.2014.15 designates the Governor's Office of Crime Control & Prevention as the State Administering Agency for federal appropriations from the Office of Juvenile Justice and Delinquency Prevention.

The Juvenile Grant Planning and Review Council (Maryland's State Advisory Group) functions according to the Juvenile Justice and Delinquency Prevention Act of 1974, as amended in 2002, and is mandated to meet certain requirements including the four core protections, which are:

1. Deinstitutionalization of Status Offenders, Section 223(a)(11), which states that status offenders and juveniles who are not charged with any offense, but who are aliens or alleged to be dependent, neglected or abused, shall not be placed in secure detention/correctional facilities. This provision excludes juveniles who are charged with or who have committed a violation of 922 (x)(2) of title 18 US Code, or of a similar state law, juveniles charged with or who have committed a violation of a valid court order, and juveniles held in accordance with the Interstate Compact;
2. Sight and Sound Separation, Section 223 (a)(12), which states that accused and adjudicated delinquents, status offenders and non-offending juveniles will not be detained or confined in any institution where they may have contact with adult inmates. Moreover, the Juvenile Justice and Delinquency Prevention Act of 1974, as amended in 2002 mandates that professionals who work with both adults and juveniles, including in co-located facilities, receive training and certification;
3. Removal of Juveniles from Adult Jails and Lockups, Section 223(a)(13), which states that juveniles cannot be detained in any adult jail or lockup. However, the Juvenile Justice and Delinquency Prevention Act offers an exception for juveniles who are accused of non-status offenses and detained in a jail or lock-up for a period not to exceed six hours, during processing or release, while awaiting transfer to a juvenile facility, or when making a court appearance. The Juvenile Justice and Delinquency Prevention Act also provides for a "rural exception," which allows juveniles who are accused of delinquency offenses to be detained in an adult facility for up to 48 hours, after being taken into custody and while awaiting an initial court appearance. Juveniles cannot have sight or sound contact with incarcerated adults.



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4. Reduction of Disproportionate Minority Contact, Section 223(a)(22), which broadens the scope of the previously authorized disproportionate minority confinement requirement to include the over-representation of minority youth who come into contact with the juvenile justice system at any point. It specifically mandates the states to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.”

In June 2015, the State Advisory Group submitted its 2015-2017 Three-Year Plan to the Office of Juvenile Justice and Delinquency Prevention. An annual update to the Three-Year Plan will be submitted in June 2016. The over-arching theme of this plan is implementing a developmental approach for juvenile justice reform. The plan focuses on initiatives and strategies that support the hallmarks of the Developmental Approach to Juvenile Justice Reform¹, which are:

- Accountability Without Criminalization;
- Alternatives to Justice System Involvement;
- Individualized Response Based on Assessment of Needs and Risks;
- Confinement Only When Necessary for Public Safety;
- A Genuine Commitment to Fairness;
- Sensitivity to Disparate Treatment, and;
- Family Engagement.

The hallmarks of the developmental approach are supported through an ongoing focus on creating a continuum of care to meet the diverse needs of the youth served by Maryland’s juvenile justice system; collaboration with other State child-serving and public safety agencies; and an effort to bring innovative programming and strategies to serve youth safely in the community. This plan is intended to focus, organize, and coordinate multiple jurisdictions and serve as a platform for the evolution and strengthening of public safety in Maryland.

¹ National Research Council. (2014) *Implementing Juvenile Justice Reform: The Federal Role*. Committee on a Prioritized Plan to Implement a Developmental Approach in Juvenile Justice Reform, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education Washington, DC: The National Academies Press.



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Juvenile Grant Planning and Review Council

The membership requirements of the Juvenile Grant Planning and Review Council are outlined in Section 223(a)(3)(A) of the Juvenile Justice and Delinquency Prevention Act. The required minimum 15 and maximum 33 members must be appointed by the Governor and each member may serve up to two consecutive three-year terms. The Juvenile Grant Planning and Review Council currently has 32 appointed members.

Of the minimum membership, one-fifth of the members must be under the age of 24 at the time of their appointment and at least three members shall have been or are currently under the jurisdiction of the juvenile justice system. The Juvenile Grant Planning and Review Council currently has six members who were under the age of 24 at the time of their appointment and three members of which have personal experience with the juvenile justice system. The Governor's Office of Crime Control & Prevention dedicates three positions to the management of the Juvenile Justice and Delinquency Prevention mandates: the Director of Juvenile Justice/Juvenile Justice Specialist, the Statewide Disproportionate Minority Contact Coordinator, and the Compliance Monitor.

The Juvenile Grant Planning and Review Council has four standing committees:

- (1) Grant Monitoring
- (2) Recruitment, Training, and Regionalization
- (3) Youth Engagement
- (4) Disproportionate Minority Contact

Grant Monitoring

During the course of the year, members conducted six site visits with sub-recipients. Through this effort, members discussed the service needs of clients, trends, system-referrals, underserved populations, partnerships and community resources, program highlights, barriers, sustainability planning and performance tracking. A summary of each site visit was reported to the full Council at regular meetings.

Recruitment, Training, and Regionalization

The Governor's Office of Crime Control & Prevention, in conjunction with the Recruitment, Training, and Regionalization committee, hosted two orientation sessions for newly appointed members during the year. Additionally, meetings were held in different locations throughout the State as an effort to regionalize the Council. Recruitment efforts have been successful in yielding several new appointments.



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Youth Engagement

Youth members have participated in full Council meetings and have also participated in focus groups with youth who are involved in the juvenile justice system. The youth have also had communication with youth members in other states to discuss ways to further integrate the youth voice into the Council's work. One way this has been achieved is through the grant review session. The youth members have the opportunity to review and comment on assigned applications. Their comments are taken in to consideration when funding decisions are made.

Disproportionate Minority Contact

The subcommittee has chosen restorative justice as a top priority. Several strategies are being examined to expand restorative practices in schools to address the school to prison pipeline. The State Disproportionate Minority Contact Coordinator is working closely with stakeholders in Prince George's County through the Georgetown University Center for Justice Reform Certificate Program to improve school-based diversion and ultimately reduce school-based arrests in the county.

There are two ad hoc committees:

- (1) Executive – this committee makes executive-level decisions on behalf of the full State Advisory Group when necessary.
- (2) Legislative Subcommittee – this newly formed committee reviews and tracks juvenile justice related legislation throughout the legislative session and submits testimony when necessary and approved by the Executive committee.

The Juvenile Council is also an active member of the Coalition for Juvenile Justice, a national organization of State Advisory Groups, organizations, and youth, that assists States in meeting the federal mandates. In 2016, Maryland's Director of Juvenile Justice/Juvenile Justice Specialist was elected to the Coalition's board as the National Juvenile Justice Specialist. Additionally, the former Vice Chair of Maryland's State Advisory Group was elected as the Northeast Regional Chair.

Juvenile Justice Grants and Programming

During 2015-2016, the Governor's Office of Crime Control & Prevention, in collaboration with the Juvenile Grant Planning and Review Council, continued to fulfill its role in distributing federal funds to support the juvenile justice system in Maryland. The federal purpose areas are: aftercare/reentry, alternatives to detention, diversion (includes disproportionate minority contact and diversion), and probation. The Juvenile Grant Planning and Review Council and the Governor's Office of Crime Control & Prevention will continue to support programs that have been successful in diverting youth from the juvenile justice system while also promoting accountability.



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Unfortunately, the Juvenile Accountability Block Grant (JABG), the Governor's Office of Crime Control & Prevention's primary federal funding stream for juvenile justice accountability and restorative justice programming, was eliminated by the U.S. Congress in 2014 and efforts to restore the funding have been unsuccessful. Maryland continues to receive its federal Title II Formula grant allocation under the Juvenile Justice and Delinquency Prevention Act and the most recent allocation in FY 2015 was \$647,460, a 2% decrease from the FY 2014 allocation.

The Governor's Office of Crime Control & Prevention released a Notice of Funding Availability in March 2016 for the Title II Formula Grant and the one-year grants will begin on July 1, 2016.

Plan for Compliance with the Core Protections of the Juvenile Justice and Delinquency Prevention Act

In accordance with the Juvenile Justice and Delinquency Prevention Act, the Juvenile Council works with the Governor's Office of Crime Control & Prevention to ensure compliance with the four core protections of the Juvenile Justice and Delinquency Prevention Act. Maryland must provide for an adequate system of monitoring to ensure that the core protections are met. This includes visiting and collecting information from all secure facilities and submitting an annual compliance monitoring report to the Office of Juvenile Justice and Delinquency Prevention. Maryland's level of compliance with each of the four core protections determines eligibility for its continued participation in the Title II Formula Grant program.

Maryland has continued to strengthen its efforts to achieve and maintain full compliance with the core protections of the Juvenile Justice and Delinquency Prevention Act during FY 2016. The Governor's Office of Crime Control & Prevention utilizes a web-based Compliance Monitoring Data Collection system to actively monitor all secure and non-secure facilities within the State. This system has been recognized at the state, national, and federal level and at least one state is interested in replication. The Governor's Office of Crime Control & Prevention also provides ongoing training and technical assistance to law enforcement and facility staff to ensure that there is a thorough understanding of the federal mandates and policies.

Plan for Compliance with the Disproportionate Minority Contact Core Requirement

The purpose of this core requirement is to ensure equal and fair treatment for every youth involved in the juvenile justice system. Statistics at the state and national level show the cumulative impact of racial disparity through each decision point in the juvenile justice system. Decisions made at one stage contribute to increasing disparities at subsequent stages.

The Juvenile Grant Planning and Review Council continues to target local jurisdictions that contribute most to disproportionate representation of youth of color across system contact points



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as well as to expand its focus to community-based programs that are working to reduce racial and ethnic disparities.

Plan for 2016-2017

The Juvenile Grant Planning and Review Council will continue to focus exclusively on the requirements set forth in the Juvenile Justice and Delinquency Prevention Act. Additionally, the Council will continue to collaborate with the Department of Juvenile Services' State Advisory Board, of which the Chair of the State Advisory Group is an appointed member. The Chair and Vice Chair will ensure continuance of the Council's purpose and goals according to the Juvenile Justice and Delinquency Prevention Act. It is the Chair's vision for the Council to help facilitate greater collaboration between state agencies and stakeholders around juvenile justice issues.

Consistent with FY 2015-2016, priorities of the Council will continue to be:

- Administering federal and state juvenile justice funds;
- Monitoring Maryland's compliance with the core protections of the Juvenile Justice and Delinquency Prevention Act, including the removal of juveniles from adult jails and police lockups, the deinstitutionalization of status offenders and the separation of juveniles from adults while in police custody;
- Reducing the overrepresentation of minorities in the juvenile justice system; and
- Reviewing progress and accomplishments of projects funded with federal and state juvenile justice funds.

The Juvenile Grant Planning and Review Council will continue to provide funding to implement programs based on the following principles for preventing and reducing high-risk behaviors:

- Promoting prevention and intervention strategies as the most cost-effective approach to reducing juvenile delinquency;
- Providing methods of effective intervention in the early stages of delinquent behavior to prevent delinquent offenders from becoming chronic offenders or from progressively committing more serious and violent crimes;
- Establishing a system of graduated sanctions that holds each juvenile offender accountable, protects public safety, and provides programs and services that meet identified treatment needs; and
- Observing and analyzing the issues surrounding the small percent of serious, violent, and chronic juvenile offenders who commit the majority of juvenile felony-level offenses.



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To this end, the Council will continue to:

- Analyze juvenile arrest data and trends;
- Explore research efforts conducted by stakeholders and institutions of higher education; and
- Determine the influence of the above items on disproportionate minority contact and other identified priority areas.

The Juvenile Council is excited about the potential of its efforts and looks forward to continuing its collaboration with the Governor's Office of Crime Control & Prevention, service providers, and the Department of Juvenile Services.